

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:09CV201

DAVID G. LORUSSO,

Plaintiff,

vs.

PIEDMONT HEALTHCARE, P.A.,

Defendant.

ORDER

This matter is before the court upon Defendant's Motion for Partial Dismissal of Plaintiff's Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Plaintiff, a former employee of the Defendant, filed this *pro se* Complaint in state court alleging federal and state law claims arising from Defendant's decision to terminate his employment. Defendant timely removed the action to this court and now moves to dismiss Plaintiff's purported state law claims premised on the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and a purported state law claim for practicing medicine without a license. The Plaintiff filed a response in opposition to Defendant's motion.

It appears to the court for the reasons stated in Defendant's Memorandum of Law in Support of its Motion for Partial Dismissal of Plaintiff's Complaint that the Third, Fourth and Fifth Claims of the Complaint must be dismissed for failure to state a claim upon which relief can be granted.

IT IS THEREFORE ORDERED that Defendant's Motion for Partial Dismissal is hereby GRANTED.

Signed: October 5, 2009



Graham C. Mullen
United States District Judge

